

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

**THE HON'BLE THE ACTING CHIEF JUSTICE MR.K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE M.N.KRISHNAN**

WEDNESDAY, THE 28TH MARCH 2007 / 7TH CHAITHRA 1929

WA.No. 818 of 2007()

**AGAINST THE JUDGEMENT/ORDER IN WPC.10042/2007 Dated
23/03/2007**
.....

APPELLANT: 4TH RESPONDENT

**BHASURANGAN,
PRESIDENT, THIRUVANANTHAPURAM DISTRICT
CO-OPERATIVE BANK, THIRUVANANTHAPURAM.**

BY ADV. SRI.P.V.BABY

RESPONDENTS: PETITIONER & RESPONDENTS 1 TO 3

**1. M.P.SHAJU,
REVETHI, KANNAMoola, THIRUVANANTHAPURAM.**

**2. REGISTRAR OF CO-OPERATIVE SOCIETIES,
THIRUVANANTHAPURAM.**

**3. THE THIRUVANANTHAPURAM DISTRICT CO-OP.
BANK LTD., THIRUVANANTHAPURAM, REPRESENTED BY
ITS GENERAL MANAGER.**

**4. K.VIKRAMAN NAIR,
GENERAL MANAGER, THE THIRUVANANTHAPURAM DISTRICT
CO-OPERATIVE BANK LTD., THIRUVANANTHAPURAM.**

BY GOVERNMENT PLEADER SMT. A.G. ANEETHA.(CO.OP. SOCIETY)

**THIS WRIT APPEAL HAVING COME UP FOR ADMISSION
ON 28/03/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

K.S. RADHAKRISHNAN, AG.C.J. & M.N. KRISHNAN,J.

= = = = =

W.A. NO. 818 OF 2007

= = = = =

Dated this the 28th day of March, 2007.

J U D G M E N T

Radhakrishnan, Ag.C.J.

Advocate Sri. B.S. Swathikumar takes notice for first respondent. Government Pleader takes notice of respondents 1 and 2. We have perused the impugned order passed by the learned Single Judge. 4th respondent in the writ petition has preferred this writ appeal challenging the interim order dated 23.3.2007 passed by the learned Single Judge. The first respondent herein has sought for a direction not to initiate any proceedings to remove/declare that the petitioner has ceased to be a nominee of the Board of the Bank to the Kerala State Co-operative Hospital Complex and Centre for advanced Medical Service Ltd. No. 4386 on the basis of the illegal decision which the 4th respondent claims to have been taken in the Board Meeting of the Bank on 20.3.2007. We find that the learned Single Judge has

W.A. NO. 818 OF 2007

-:Page numbers:-

passed an order beyond the pleadings and reliefs sought for by the parties. In the circumstances, we are setting aside the order passed by the learned Single Judge. We are informed that the writ petition is posted for hearing on 2.4.2007. Therefore, we direct the learned Single Judge to dispose the writ petition. It is made clear that we have not expressed any opinion on the merits of this case.

The writ appeal is disposed of with the above observation.

**K.S. RADHAKRISHNAN,
ACTING CHIEF JUSTICE.**

M.N. KRISHNAN, JUDGE.

ul/-